

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CYWEE GROUP LTD.,

Plaintiff

v.

SAMSUNG ELECTRONICS CO. LTD.
AND SAMSUNG ELECTRONICS
AMERICA, INC.,

Defendants.

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NO. 2:17-CV-00140-RWS-RSP

DEFENDANTS' MOTION FOR ISSUANCE OF LETTER OF REQUEST

Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Defendants") hereby move, pursuant to the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters, March 18, 1970, 23 U.S.T. 2555, T.I.A.S. No. 7444 and 28 U.S.C. § 1781 for the issuance of a Request for International Judicial Assistance directed to the Appropriate Judicial Authorities of the Netherlands, for the purpose of obtaining documents relevant to this litigation from Xsens Technologies B.V. ("Xsens").

Defendants submit that the requested documents and testimony are in the interest of justice, that Xsens is not subject to service of subpoenas within the United States, and that Xsens cannot be directly compelled to produce documents or make witnesses available in the United States. The discovery sought is relevant to Defendants' affirmative defenses to Plaintiff CyWee Group Ltd. ("CyWee")'s claims of patent infringement against Defendants.

For the foregoing reasons, Defendants respectfully request that this Court grant this motion and issue the proposed Requests for International Judicial Assistance attached hereto as Exhibit A, bearing an original signature by the Court and original seal affixed by the clerk of the

Court. Defendants make these specific requests to comply with the requirements for service in the Netherlands.

DATED: April 9, 2018

Respectfully submitted,

By: /s/ Christopher W. Kennerly

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Attorneys for Defendants
SAMSUNG ELECTRONICS CO. LTD AND
SAMSUNG ELECTRONICS AMERICA,
INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on April 9, 2018. As of this date, all counsel of record had consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A) and by email.

/s/ Christopher W. Kennerly
Christopher W. Kennerly